

REMARKS

Claims 5-7 are pending in this application. By this Amendment, claims 6 and 7 are amended for clarity. Claim 1 is canceled. Support for the amendment may be found at least in original claim 5 and paragraph [0008]. No new matter is added. Applicants respectfully request reconsideration and prompt allowance of the pending claims at least in light of the following remarks.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration; (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. Specifically, claim 6 is amended to clarify the term required angle in response to the arguments raised first in the final rejection, although original claim 1 recites "a required angle" and this feature has been discussed throughout the prosecution of this application. In addition, amendment to claim 6 does not requires further search and consideration because claim 5 recites a similar combination of features and was previously examined. Further, other parts of claim 6 and claim 7 are amended for clarifying the antecedent basis. Thus, entry of the amendments is thus respectfully requested.

Applicants gratefully acknowledge the Office Action's indications that claim 5 is allowed.

I. 35 U.S.C. §112

A. First paragraph

Claims 6 and 7 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office Action asserts that the

original specification does not describe "an angle calculation device," as recited in claim 6.

Applicants respectfully traverse the rejection.

Applicants respectfully submit that at least original claim 1 recites "band drum rotation angle control means for rotating the band drum on which the carcass band is applied, by a required angle that is determined by a radial force waveform obtained, before building of a desired tire, with respect to a tire of the same size, or by a characteristic waveform having a correlation to said radial force waveform." In addition, it is apparent that when calculating the angle, some sort of device must be performing the angle calculation. Thus, it is apparent that a person having ordinary skill would recognize that Applicants had possession of this feature (i.e., an angle calculation device that determines the required angle by a radial force waveform obtained, before building of a desired tire, with respect to a tire of the same size, or by a characteristic waveform having a correlation to said radial force waveform) at the time the application was filed. Applicants respectfully request withdrawal of the rejection.

B. Second paragraph

Claims 6 and 7 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. Specifically, the Office Action asserts that: i) "the required angle" of line 8 lacks antecedent basis, ii) it is unclear what this angle is or how the required angle is measured, and iii) each "the required angle" of lines 12 and 16 should be a different angle, while the current claim seems to refer to the same angle.

In response, by this Amendment, claims 6 and 7 are amended to clarify the above points. Specifically, regarding the above points i) and iii), claims 6 and 7 are amended to clarify the antecedent basis. Regarding the above point ii), claim 6 is amended to clarify what the first required angle means. Applicants respectfully request withdrawal of the rejection.

II. 35 U.S.C. §103(a)

A. Claim 1

Claim 1 is rejected under 35 U.S.C. §103(a) over U.S. Patent No. 4,343,671 (Enders) in view of U.S. Patent No. 5,273,600 (Yamamori) and U.S. Patent No. 4,596,617 (Ishii).

By this Amendment, claim 1 is canceled. Thus, the rejection is moot. Applicants respectfully request withdrawal of the rejection.

B. Claim 6

Claim 6 is rejected under 35 U.S.C. §103(a) over Enders in view of JP 10-086240 (Matsuda) and JP 06-320640 (Hosono). Applicants respectfully traverse the rejection.

Enders, Matsuda and Hosono, either alone or in combination, fail to disclose or to have rendered obvious "an angle calculation device that determines a first required angle that is calculated based on a radial force waveform obtained, before building of a desired tire, with respect to a tire of the same size, or by a characteristic waveform having a correlation to said radial force waveform, wherein the first required angle corresponds to an angular deviation between a center axis of the carcass band and a center axis of the bred core in building of a previous tire having the same size with the desired tire by the same tire building machine," as recited in claim 6.

Matsuda discloses detecting a bead setter's 2 roundness and inclination to a drum 1 and comparing the observed data and the perfect circle, thereby setting an inner joint to a portion where the data is most recessed (abstract and paragraphs [0009] and [0014]). However, Matsuda fails to disclose determining a required angle by a radial force waveform obtained, before building of a desired tire, with respect to a tire of the same size, or by a characteristic waveform having a correlation to said radial force waveform. Thus, Matsuda fails to disclose the above feature of claim 6.

Hosono fails to make up for the deficiency of Matsuda. Hosono discloses reducing unbalancing quantity of a tire by graphing a magnitude of the unbalanced quantity of an individual strip member and the positions where maximum and minimum unbalanced quantities exist (abstract). However, Hosono is silent about determining a required angle by a radial force waveform obtained, before building of a desired tire, with respect to a tire of the same size, or by a characteristic waveform having a correlation to said radial force waveform (see, e.g., abstract and claims). Thus, Hosono fails to disclose the above feature of claim 6.

Enders fails to make up for the deficiencies of Matsuda and Hosono. Thus, Enders, Matsuo and Hosono fail to disclose or to have rendered obvious the above feature of claim 6.

Further, the Office Action fails to point out which part of Matsuo and Hosono discloses the above feature. In addition, the Office Action merely asserts that Matsuda and Hosono teach that it is desirable in terms of reducing non-uniformity to apply the various components, including an inner liner with joints at specified precalculated circumstantial positions based on uniformity waveforms. However, the Office Action does not assert that Matsuda and Hosono disclose the above feature or would have rendered obvious the above feature of claim 6. Thus, the Office Action fails to adequately establish a *prima facie* obvious rejection.

Thus, claim 6 is patentable over Enders, Matsuo and Hosono. Applicants respectfully request withdrawal of the rejection.

C. Claim 7

Claim 7 is rejected under 35 U.S.C. §103(b) over Enders in view of Matsuda and Hosono, and further in view of Yamamori and Ishii. Applicants respectfully traverse the rejection.

This rejection is premised upon the presumption that the combination of Enders, Matsuda and Hosono would have rendered obvious the above feature of claim 6. As discussed above, Enders, Matsuda and Hosono fail to have rendered obvious at least these features. Further, Yamamori and Ishii fail to make up for the deficiency of Enders, Matsuda and Hosono. Thus, the rejection is improper. Applicants respectfully request withdrawal of the rejection.

* * * *

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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